

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

ZACHARY KNOTTS,

Plaintiff,

v.

CIVIL ACTION NO. 2:22-cv-00416

JENNIFER BAILEY,

Defendant.

ORDER

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On July 26, 2023, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendation (“PF&R”), [ECF No. 33], recommending that the court dismiss Plaintiff’s Complaint, [ECF No. 1], and this civil action under Rule 12(h)(3) of the Federal Rules of Civil Procedure and 28 U.S.C. § 1915A.

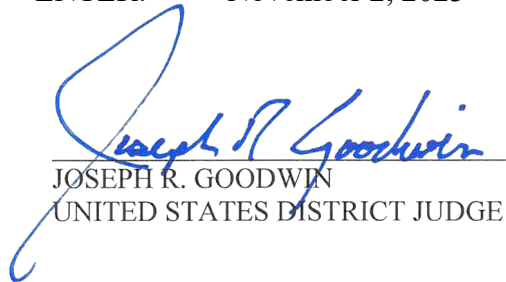
On September 11, 2023, Plaintiff filed a Motion for an Extension of Time to Answer the Proposed Findings and Recommendations. [ECF No. 35]. The court granted this motion and gave Plaintiff a new deadline of September 27, 2023, to file objections. [ECF No. 36]. Neither party filed objections to the PF&R, and the new deadline for doing so has passed.

A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R, [ECF No. 33], and orders judgment consistent therewith. As such, the Plaintiff’s Complaint, [ECF No. 1], and this civil action are **DISMISSED**.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: November 2, 2023



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE